

MINUTE ORDER

CASE NUMBER: CIVIL NO. 22-00421 LEK-WRP

CASE NAME: George Host v Paul K. Ferreira, *County of Hawaii Police Chief*

JUDGE: Leslie E. Kobayashi

DATE: 10/19/2022

COURT ACTION: EO: COURT ORDER: DISMISSING PLAINTIFF'S COMPLAINT WITHOUT PREJUDICE TO THE FILING OF A NEW ACTION; AND DENYING AS MOOT DEFENDANT'S MOTION TO DISMISS COMPLAINT, FILED SEPTEMBER 26, 2022

On September 26, 2022, Defendant Paul K. Ferreira, County of Hawai'i Police Chief ("Defendant"), filed his Notice of Removal. [Dkt. no. 1.] On September 30, 2022, Defendant filed a Notice of Plaintiff's Filing of a Notice of Dismissal in Circuit Court ("Notice of State Court Dismissal"). [Dkt. no. 5.] On October 4, 2022, an advisory entry was docketed informing the parties that the filing party must submit a stipulation for dismissal to this Court for approval. Also on October 4, 2022, Defendant filed his Motion to Dismiss Complaint, Filed September 26, 2022 ("Motion to Dismiss"). [Dkt. no. 7.]

As of the date of this entering order, a stipulation for dismissal has not been submitted by the parties. Pro se Plaintiff George Host's complaint, [Notice of Removal, Decl. of Justin C. Lee, Exh. A (complaint, filed 9/13/22 in state court),] is therefore DISMISSED. The dismissal is WITHOUT PREJUDICE to the filing of a new action. The Clerk's Office is DIRECTED to close the case on **November 3, 2022**, unless the parties file a stipulation for dismissal on or before **November 2, 2022**.

In light of the dismissal, Defendant's Motion to Dismiss is DENIED AS MOOT.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager